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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Simons & Youhe Gao.  
Serial No. : 09/426,011  
Filed : October 25, 1999  
For : "METHOD FOR PR-39 PEPTIDE REGULATED  
STIMULATION OF ANGIOGENESIS"  
Examiner : F.T. Moezie  
Group Art Unit : 1653  
Attorney's Docket No. : BIS-043/CIP

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ORIGINALLY FILED

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C.

20231  
on: Jan. 23, 2002.

Attorney for Applicants: David Pashken

Signature: David Pashken

Date: Jan. 23, 2002

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REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures as mailed September 4, 2001 and extended through February 4, 2002, please find enclosed the following


documents for filing on behalf of applicants and for formal entry into the above-identified application:

1. An Amendment Of Specification, Drawing And Claims; And Request For Entry Of A Second Paper Form Copy Of The Sequence Listing Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures.
2. Replacement amended paragraph pages for the Specification.
3. A substitute sheet of Drawing for Figs. 1A and 1B;
4. A sheet presenting amended language for pending claims 12, 13 and 14 in clear copy format.
5. A second paper form copy of the "Sequence Listing" to be formally entered into the original Specification of the above-identified patent application.
6. A marked-up copy of the replacement amended paragraph pages for the Specification pursuant to 37 C.F.R. 121(b).
7. A marked-up copy of the amended claims pursuant to 37 C.F.R. 121(c).
8. A second computer readable form (CRF) copy of the "Sequence Listing".
9. A Second Statement And Verification Of Substantive Identity Between The Computer Readable Form (CRF) Copy And The Paper Form Copy Of The "Sequence Listing".
10. One copy of the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures as mailed September 4, 2001.

Date: Jan. 23, 2002  
P.O. Box 5387  
Magnolia, Massachusetts 01930  
Tel.: (978) 525-3794

Respectfully submitted,

MICHAEL SIMONS  
YOU E GAO

By:   
David Prashker  
Reg. No. 29,693  
Attorney for applicants



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20231 on: Jan. 23, 2002.

Attorney for Applicants: David Traskken

Signature: David Traskken

Date: Jan. 23, 2002

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SECOND STATEMENT AND VERIFICATION OF SUBSTANTIVE IDENTITY  
BETWEEN THE SECOND COMPUTER READABLE FORM (CRF) COPY AND  
THE SECOND PAPER FORM COPY OF THE "SEQUENCE LISTING"

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accompaniment with the enclosed Reply to the Notice To  
Comply With Requirements For Patent Applications Containing  
Nucleotide Sequence And/Or Amino Acid Sequence Disclosures as  
mailed September 4, 2001 and extended through February 4, 2002,  
applicants' undersigned attorney states and verifies the following: The


content of the second paper form copy and the second computer readable form (CRF) copy of the "Sequence Listing" enclosed herewith are the same; the content of the second paper form copy and the second computer readable form (CRF) copy of the "Sequence Listings" enclosed herewith do not contain any New Matter; and the content of the second paper form copy and the second computer readable form (CRF) copy of the "Sequence Listing" enclosed herewith is fully supported by the descriptive and enabled disclosure of the Specification text originally filed October 25, 1999 as USSN 09/426,011.

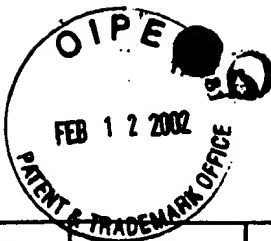
This second statement and verification of the contents and sameness of the "Sequence Listing" in second paper form copy and second computer readable form (CRF) copy is made pursuant to and in compliance with the requirements as set forth in 37 C.F.R. 1.821-1.825 respectively. Applicants' undersigned attorney respectfully submits that this second statement and verification is also a legally complete and sufficient Response to the instant Notice to comply with requirements for sequence disclosures as such.

Respectfully submitted,

MICHAEL SIMONS  
YOUHE GAO

Date: Jan. 23, 2002  
P.O. Box 5387  
Magnolia, Massachusetts 01930  
Tel.: (978) 5253794

By:   
David Prashker  
Reg. No. 29,693  
Attorney for applicants



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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/426,011	10/25/99	Simmons	

EXAMINER	
F.T. MOEZIE	
ART UNIT	PAPER NUMBER
1653	12

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application  
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

**Note: Upon compliance with the requirements applicant must also amend the application to provide the SEQ ID NOS in THE SPECIFICATION (at least in the first occurrence), in ALL EXAMPLES, TABLES and THE CLAIMS.**

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F.T. MOEZIE whose telephone number is (703) 305-4508.

F.T. MOEZIE  
PRIMARY EXAMINER  
ART UNIT 1653